
E-MAIL

To: trudi@intch.com
From: Sen Schmidt
CC: commission@co.cascade.mt.us
Subj: DOC budget hearing 1-10-07

1-12-07 4:32pm
EXHIBIT 5
DATE 1-26-07
HB _____

Dear Senator Schmidt,

[Sorry for the first email, I hit the wrong button before proofing, disregard it! take this one]

Blue told me he was asked to speak and declined. I apologize, because it was my fault for telling him before I left that if you don't have anything "good" to say, don't say anything at all. My downfall for having good parents.

We went down to Helena on a couple of issues, one being to hear the proposal for \$97 million increase in DOC's budget. As you are aware I always have something to say. In respect to DOC's plea for money to handle their overcrowding, management and fiscal problems, I would be remiss as your Sheriff if I didn't make it perfectly clear! "Overcrowding" and "Cost" is a symptom of a problem and not the problem in and of itself. The Criminal justice system as a whole, including courts, agencies with court related functions, mandated sentencing, and law enforcement all have a direct influence in creating the "problems" of overcrowding and relevant cost's that are prevalent in Montana....However,, the criminal justice system, working as a team, partnering with local communities, is also the solution to the problem. {ie; treatment courts, diversion of the mentally, or non violent offenders, alternative sentencing, and law enforcement being proactive in education and prevention. [identifying and solving problems] This all happens at the local level.

DOC has a mission totally different than local government. They are in the Flood Waters with too many offenders and looking for a place to put everyone. The rough waters they have experienced has made them skilled sailors in their task...[Lawyers, accountants etc....what a team.....but! They have yet to realize they don't control the Flood Gates. Local County Attorneys, Courts and law enforcement decide who goes to prison. DOC is the end result from fruitless efforts at the local level. When DOC rob funds at the end it always puts a strain in the beginning. Example, In Cascade counties case, when we put funding to subsidize state inmates, it is less dollars \$\$ in all the alternatives to stop people from ending up in Prison. Robs from our resources to work on diversion or prevention. An Ounce of Prevention is Worth a Pound of Cure!

DOC have proven time and time again that they are blind to see the effect they have as a partner in the criminal justice system. When one partner refuses to have interest in the other and doesn't pay it's fair share, then they rob from the rest. It is especially intersting at all the discrepancies I noted in their proposal to you. They said we did not submit a perdiem request. We started submitting in 2004. They refused to accept anything we submitted. We danced using the old formula and submitted...We then used a changed formula...We then submitted with a new formula we created on line with the Federal Government requirements and they still refused.. I had a handshake with then director Slaughter at over \$60 a day. Never happened. We then had an agreement in the interim for \$58 . Never happened. Mind you they now report that their incarcerated rate at MSP is now \$75 per day. We are still considerably cheaper and do a better job with the resources available in Great Falls, However it just wasn't acceptable for them after getting by for ten years [10 years!] at an average of \$47.17 cents. If it wasn't for you and Tim last legislature Cascade county wouldn't have seen the \$2 raise....

It is obvious to me when their budget had approx. \$1.7 million designated for contract beds that we are no longer in their picture...considering the proposal to Dawson for perdiem increase and construction

of an additional 50 beds. taking the majority of that budget only leaving Missoula's increase from \$45 to approx. \$59 per diem cost [\$735,840] What does that leave,,, postage for Cascade. What this tells me, they tell a good story to you and now gave Missoula and Dawson what they wanted while approving 100 beds for CCA and another 50 at Dawson...pretty good plan to ["move there inmates out of Great Falls"]

Speaking of moving inmates, I found it particularly interesting that while they were telling you how their new transport would help, I returned to my facility only to find out that same day, the same day their Transport was at our facility, equiped to haul 12.. were asked by us to take 3 we had back to Prison with the 6 they had picked up. They refused!

This is still a government run by the people and like you as an elected official that has to answer to the electorate I am frustrated in dealing with the bureaucracy within the "DEPARTMENT" not Office of Corrections. I know at times you must run into the same thing with the federal government when trying to do your job representing the local.. I can't compete from my County Office with the attorneys, accountants, wardens, and support staff that DOC has. They should realize though that we are where they get there support.

I am done and have submitted to the Cascade County Commissioners a request to Cancel our Contract with the Department of Corrections. Out of the respect for you and the respect you have earned being another voice for the people is why I am telling you.

Respectfully, Sheriff David Castle